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AO 91 (Rev. 11/11) Criminal Complaint

Special Agent: Michael Parsons

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Thomas TLUCZEK

Case: 2:19-mj-30555
 Judge: Unassigned,
 Filed: 10-21-2019 At 04:01 PM
 USA v. THOMAS TLUCZEK (CMP)(MLW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 19, 2019 and October 19, 2019 in the county of Washtenaw in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 USC § 922(g)(1)

Felon in possession of a firearm

18 USC § 922(a)(6)

False/fictitious statements to a federal firearms licensee

This criminal complaint is based on these facts:

see attached affidavit.

☒ Continued on the attached sheet.



Complainant's signature

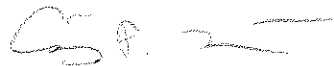
Michael Parsons, Special Agent (ATF)

Printed name and title

Sworn to before me and signed in my presence.

Date:

October 21, 2019



Judge's signature

City and state: Detroit, Michigan

Hon. Anthony P. Patti, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Michael S. Parsons, being duly sworn, do hereby state the following:

I. INTRODUCTION

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been a Special Agent since September of 2000. I have been involved in numerous investigations regarding firearms, firearms licensing, and narcotic laws resulting in successful federal prosecutions.

2. The statements contained in this affidavit are based on my personal knowledge and information provided to me by and/or through other law enforcement agents, investigators, and individuals with knowledge of this matter. This affidavit does not provide every detail known to law enforcement about this investigation.

3. This affidavit provides information necessary to establish probable cause that Thomas TLUCZEK (XX/XX/1983) has violated Title 18, United States Code, Section 922(g)(1), felon in possession of a firearm, and Title 18, United States Code, Section 922(a)(6), making false statements to a firearm dealer.

II. PROBABLE CAUSE

4. On September 24, 2019, Affiant received information from CC Coins, a Federal Firearms Licensee located in Dearborn Heights, Michigan, that Thomas TLUCZEK purchased a Taurus .380 caliber pistol, on September 19, 2019 using identification stolen from victim J. G.

5. CC Coins' Store Manager stated to Affiant that TLUCZEK attempted to purchase firearms two previous times in the past from them but that he was denied both times through the National Instant Criminal Background Check System (NICS). During both attempted firearms purchase TLUCZEK checked "no" to box 11.c. have you ever been convicted in any court of a felony. Those attempted purchases of a firearm occurred on April 20, 2018 and August 17, 2018 at CC Coins.

6. Store Manager stated that he was not working on September 19, 2019, but if he had been, he would have recognized TLUCZEK and would have prevented the firearms purchase. Store Manager stated that he noticed TLUCZEK purchased the firearm on September 20, 2019, when he was going through the previous day's credit card receipts and recognized TLUCZEK's name on one of the receipts. Store

Manager stated that he immediately went through the previous day's firearms sales and noticed that TLUCZEK used an ID in the name of J. G. to complete the ATF Form 4473 but TLUCZEK used his (TLUCZEK) credit card to pay for the purchase.

7. Store Manager stated that he went through CC Coins security video surveillance system and recognized the individual that purchased the above mentioned firearm on September 19, 2019, as Thomas TLUCZEK. Mr. Stern provided Affiant a copy of this video.

8. On September 24, 2019, Affiant interviewed J.G. in regards to his identification being used by Thomas TLUCZEK on September 19, 2019, at CC Coins to purchase a firearm. J.G. stated that his identification was stolen back around October of 2018. J.G. stated that he had stopped at a gas station with TLUCZEK in his car and that he had left his identification in the middle console. J.G. stated that when he got home he noticed his identification was gone and that he suspected TLUCZEK had taken it as TLUCZEK was the only person in the vehicle with J.G. J.G. stated that TLUCZEK would not admit to taking his identification so J.G. just went and got another one and stopped hanging around with him.

9. On October 16, 2019, Bureau of Alcohol, Tobacco, Firearms and Explosives executed a Federal Search Warrant at XXX5 N Silvery Lane, Dearborn Heights, Michigan. Inside the location was Thomas TLUCZEK. The following items were seized from the location:

- a. Taurus Model Spectrum, .380 caliber pistol.
- b. J.G.'s identification.

10. On October 16, 2019, TLUCZEK was read his Miranda Rights by Affiant which was witnessed by ATF Special Agent Candace Booth. TLUCZEK acknowledged that he understood his rights. TLUCZEK admitted to taking J.G.'s identification and to using J.G.'s identification to purchase the Taurus pistol. TLUCZEK also admitted to being a convicted felon.

11. Affiant conducted a computerized criminal history check of TLUCZEK. TLUCZEK is currently on probation for Identity Theft and has the following felony convictions:

- a. 2015 – Felony – Identity Theft.
- b. 2015 – Felony – Burglars Tools, Possession.
- c. 2018 – Felony – Motor Vehicle Unlawful Driving Away.
- d. 2018 – Felony – Financial Transaction Device, Possession.

- e. 2018 – Felony – Stolen Property Receiving/Concealing, less than \$20,000.

12. Affiant is an expert in the Interstate Nexus of Firearms. The Taurus Model Spectrum, .380 caliber pistol, recovered from TLUCZEK, was manufactured outside the State of Michigan, thereby travelling in interstate commerce.

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III. CONCLUSION


13. Probable cause exists that Thomas TLUCZEK, a convicted felon, was in possession of the above described firearm in the city of Dearborn Heights in the Eastern District of Michigan, said firearm having travelled in interstate commerce, in violation of Title 18 U.S.C. § 922(g)(1). Further, probable cause exists that Thomas TLUCZEK obtained the Taurus, .380 caliber pistol after making false statements to a firearm dealer, in violation of Title 18, United States Code, Section 922(a)(6).

Respectfully submitted,



Michael S. Parsons, Special Agent
Bureau of Alcohol, Tobacco, Firearms,
and Explosives

Sworn and subscribed to before me on
this 21st day of October 2019.



HON. ANTHONY P. PATTI
UNITED STATES MAGISTRATE JUDGE